

### **III. REMARKS**

United States Serial No. 10/609,118 was filed on June 27, 2003. Claims 1-36 are currently pending. Claims 1 and 19 have been amended by the present Response. In view of the amendments and remarks set forth herein, Applicants respectfully request reconsideration and allowance of claims 1-36.

#### **35 U.S.C. §102(b)**

Claims 1-6, 16-24 and 34-36 have been rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 6,151,012 to Bullister for the reasons set forth in the Office Action.

Applicants respectfully disagree with this rejection. Applicants have amended independent claims 1 and 19 to recite “. . . wherein said first, second and third panels are pivotably engaged to one another along a common edge of said device. . .” Support for this amendment can be found in the Specification at least at Page 5, Lines 23-29 and Page 10, Lines 16-18. Support can also be found in FIGS. 1-4. *In re Wolfenspergen*, 302 R.2d 950 (C.C.P.A. 1962)(“Drawings alone may provide a written description of an invention as required by §112.”).

The Office Action specifically alleges that Bullister teaches a portable computing device wherein the “first, second and third panels are pivotably engaged to one another along one edge of said panels.” The Examiner relies on FIG. 9 of Bullister to support this position. Applicants respectfully assert that Bullister fails to disclose a common pivot point for all three panels of the claimed device.

FIG. 9 of Bullister is a side view of the device in the collapsed position. FIG. 9 shows keyboard sections 112, 114 and display 410. FIG. 10 is an end view of the device shown in FIG. 9. In FIG. 10, the keys carried by keyboard sections 112, 114 and display 410 are hidden from view. As shown in FIG. 10, hinge 412 and pivots 416, 418 are shown as attached to a different edge of keyboard section 114 as compared to keyboard pivot mechanism 160 (See FIGS. 1A and 1B for location of keyboard pivot 160). This is further illustrated in FIG. 11 of Bullister where keyboard sections 112, 114 are shown as sharing a common pivot point, but display 410 does not pivot at the same point as keyboard sections 112, 114. Display 410 pivots on hinges 418, 424 that are attached to keyboard section 114 on a different edge of the device. Hinge elements 418, 424 are actually hidden from view in FIG. 9. FIGS. 13 and 14 further illustrate the two separate pivot points of the Bullister device. The two separate pivot points are perpendicular to each other and fail to share a common edge of the computing device as is claimed herein. As Bullister does not disclose a pivot point along a common edge of the device, amended claims 1 and 19 are not anticipated by this reference. Claims 2-6 and 16-18 ultimately depend from independent claim 1, and 20-24 and 34-36 ultimately depend from independent claim 19, these claims are also not anticipated by Bullister. Accordingly, Applicants respectfully request that the rejection of claims 16, 16-24 and 34-36 be withdrawn.

**35 U.S.C. §103(a)**

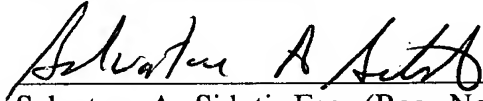
Claims 7-15 and 25-33 have been rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,151,012 to Bullister in view of U.S. Patent No. 5,097,425 to Baker et al. With respect to claims 7-9 and 25-27, the Office Action concedes that Bullister does not teach that the output generating means is a sound synthesizer, but that Baker teaches a sound synthesizer, and that it would have been obvious to one of ordinary skill in the art to use a sound synthesizer because it would provide a better communication means to the user.

With respect to claims 10-15 and 28-33, the Office Action concedes that Bullister does not teach that the indicia-bearing units include indicia selected from a word and a graphic and that it has a translation capability into a second language, but that Baker discloses indicia-bearing units that include a word and a graphic and has a translation capability into a second language, and that it would have been obvious to one having ordinary skill in the art at the time of the invention to use Baker's indicia- A general Bill of Sale and Assignment of all intellectual property from bearing units in Bullister's device.

Applicants respectfully traverse this rejection. Applicant respectfully asserts that the combination of Bullister and Baker fails to arrive at the presently claimed device. Claims 7-15 and 25-33 recite “. . . wherein said first, second and third panels are pivotably engaged to one another along a common edge of said device. . .” As set forth above, the keyboard sections 112, 144 and the display 410 of Bullister utilize separate pivot points that are located on different edges of the Bullister device. Therefore, keyboard sections 112, 114 and display 410 of Bullister do not pivot along a pivot point along a common edge of the device. Applicants request that the rejection of claims 7-15 and 25-33 under 35 U.S.C. §103(a) be withdrawn.

Should there be any questions regarding the above amendments or remarks, Applicants' undersigned attorney would welcome a telephone call.

Respectfully submitted,



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